

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TIMOTHY O'NEIL,

Plaintiff,

v.

SHERIFF VICTOR HILL,

Defendant.

CIVIL ACTION FILE
NO. 1:21-CV-04173-AT-CCB

DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

COMES NOW Defendant Victor Hill (hereinafter "defendant"), by and through the undersigned counsel of record, and hereby files this motion to dismiss plaintiff's complaint (Doc. 1). Pursuant to Fed. R. Civ. P. 12(b), defendant respectfully requests that this Court dismiss plaintiff's complaint due to plaintiff's failure to exhaust administrative remedies under the Prison Litigation Reform Act.

In support of this motion, defendant relies upon the arguments and citations to authority presented in the accompanying memorandum of law, which he files contemporaneously with this motion. For the reasons more fully set forth in the accompanying memorandum of law, defendant's motion should be granted.

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/s/ A. Ali Sabzevari

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT** to the Clerk of Court using the CM/ECF system which will automatically send electronic mail notification of such filing to counsel of record:

Mark Begnaud & Michael Eshman
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This 31st day of January, 2022.

FREEMAN MATHIS & GARY, LLP

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